

# Exhibit C

## DeLoach, Juanita

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**From:** DeLoach, Juanita  
**Sent:** Friday, January 31, 2014 1:22 PM  
**To:** lewis@colvinhudnell.com  
**Cc:** Nelson, Mark C.; DeLoach, Juanita  
**Subject:** [RPost/Citi/Intuit] Draft copies of Agreed Motion to Withdraw/Stay and Proposed Order  
**Attachments:** [RPost] Agreed Mot. to Withdraw Various Motions and Stay Proceedings(81805755\_1).DOCX; [RPost] Agreed Mot. to Withdraw Various Motions and to Stay - Proposed Order(81809751\_1).DOCX

Hi, Lewis.

Per our telephone conversation yesterday, I am sending you the drafts of the Agreed Motion to Withdraw Citigroup's Motion to Dismiss/Stay, Intuit's Joinder Notice, and RPost's Opposition Brief. I've include a Proposed Order.

Please review the documents and let me know if you have any edits or comments. You can redline or just send me your comments/edits.

Again, thank you for your time in advance.

Regards,

Juanita

 **Juanita DeLoach**  
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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

RPOST HOLDINGS, INC., et al.,

Plaintiffs,

v.

EXACT TARGET, INC., et al.

Defendants.

Civil Action No. 2:12-cv-512-MHS-RSP

Hon. Michael Schneider

Jury Trial Demanded

**AGREED MOTION TO WITHDRAW VARIOUS MOTIONS AND TO STAY  
PROCEEDINGS PENDING CALIFORNIA STATE ACTION**

Defendant Citigroup Inc. agrees to withdraw without prejudice its Motion to Dismiss Plaintiffs' Second Amended Complaint or, Alternatively, to Stay Litigation Pending Determination of State Court and Bankruptcy Actions. (Dkt. No. 74.)

Defendant Intuit Payments Inc. agrees to withdraw without prejudice its Notice of Joinder in Defendant Citigroup Inc.'s Motion to Dismiss Plaintiffs' Second Amended Complaint or, Alternatively, to Stay Litigation Pending Determination of State Court and Bankruptcy Actions. (Dkt. No. 75.)

Plaintiffs RPost Holdings, Inc. and RMail Limited ("RPost") agree to withdraw without prejudice their Opposition to Defendant Citigroup Inc.'s Motion to Dismiss Plaintiffs' Second Amended Complaint, or in the Alternative Stay, Litigation Pending Determination of State Court and Bankruptcy Court Action (Dkt. No. 76.)

Plaintiff RPost and Defendants Citigroup Inc. and Intuit Payments Inc. have agreed to stay this action in light of the January 30, 2014 Order issued by Judge Gilstrap staying and administratively closing related actions. (Order to Stay and Administratively Close, *RMail Ltd. v. Amazon.com, Inc. et al.*, Case No. 2:10-cv-258-JRG, Dkt. No. 563.)

RPost and Defendants hereby agree to stay the case until December 1, 2014 in light of Judge Gilstrap's Order to Stay and Administratively Close.

Dated: January 30, 2014

Respectfully submitted,

By: /s/ Lewis E. Hudnell, III  
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**ATTORNEYS FOR DEFENDANT  
CITIGROUP INC.**

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**ATTORNEYS FOR DEFENDANT  
INTUIT PAYMENTS INC.**

**CERTIFICATE OF CONFERENCE**

I certify that on January 30, 2014, I conferred with counsel for Plaintiffs RPost Holdings, Inc. and RMail Limited, Lewis Hudnell, III, regarding this motion. I certify that on January 30, 2014, I conferred with counsel for Defendant Intuit Payments Inc., Michael J. Sacksteder, regarding this motion. Counsel for Plaintiffs and Defendant agree to the form and substance of this motion.

/s/ Mark C. Nelson  
Mark C. Nelson

**CERTIFICATE OF SERVICE**

I certify that on January 30, 2014, a true and correct copy of the foregoing document has been served on all counsel of record deemed to have consented to electronic service via the Court's CM/ECF system under Local Rule CV-5(a)(3).

/s/ Mark C. Nelson  
Mark C. Nelson

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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

RPOST HOLDINGS, INC., et al.,

Plaintiffs,

v.

EXACT TARGET, INC., et al.,  
Defendants.

Civil Action No. 2:12-cv-512-MHS-RSP

Hon. Michael Schneider

Jury Trial Demanded

**ORDER GRANTING AGREED MOTION TO WITHDRAW  
VARIOUS MOTIONS AND TO STAY PROCEEDINGS**

The Court hereby GRANTS the Agreed Motion to Withdraw Various Motions and to Stay Proceedings Pending California State Action filed by Plaintiffs RPost Holdings, Inc. and RMail Limited (“Plaintiffs”) and Defendants Citigroup Inc. and Intuit Payments Inc. (“Defendants”).

IT IS ORDERED that all proceedings, including deadlines and related motions, as between Plaintiffs and Defendants are STAYED up to and including December 1, 2014.